In the High Court of Judicature at Madras

Dated: 22.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.2484 of 2007
and MP.No.1 of 2007

Mrs. B. Maragathamani ..Petitioner

..vs..

The Member Secretary
Chennai Metropolitan Development
Authority, Egmore, Chennai 8. ..Respondent

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus as stated therein.

For Petitioner : Mr. S. Sundaresan
For Respondent : Mr. J. Ravindran

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondent to issue orders of Regularisation as per their Letter No.REG/C6/52573/2000 dated 12.08.2002 and release the regularisation approval plan to the petitioner building situated at S.No.205/4A, 205/5A & 205/10, bearing Door No.18/4, East Coast Road, Thiruvanmiyur, Chennai 600 041.

2. On direction, Mr. J. Ravindran, takes notice for the respondent.

3. In view of the Division Bench decision of this Court in the case of Consumer Action Group vs. State of Tamil Nadu (2006 (4) CTC 483) and in the light of the assertion of the petitioner that the building in question was constructed prior to the cut-off date i.e., 28.02.1999, the petitioner is free to make an application/representation, enclosing the required details to the respondent within a period of two weeks from today. If any such representation/application is made, it is for the respondent to take a decision in accordance with law, more particularly in the light of the Division Bench decision referred to above.

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The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Being Mentioned

This petition having been posted this day 13.04.2007 for "Being Mentioned" pursuant to the order of this Court dated 22.01.2007 and made herein and in the presence of the aforesaid Advocate's the Court made the following order :

At the request of the counsel for the petitioner, the matter is posted today for "Being Mentioned".

2. By order dated 22.01.2007, we directed the respondent/Member Secretary, CMDA to dispose of the representation/application of the petitioner and take a decision in accordance with law, particularly in the light of the Division Bench decision, viz., 2006 (4) CTC 483- (consumer Action Group Vs. State of Tamil Nadu). Since we have not mentioned outer limit for the disposed of the representation/application of the petitioner, now the learned counsel for the petitioner seeks further direction.

3. In the light of the said request, we direct the respondent/Member Secretary, CMDA to pass such order/take a decision as directed in our earlier order dated 22.01.2007, within a period of three months (3) from today.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road, Egmore, Chennai 8.

1 cc To Mr.S.Sindaresan, Advocate, SR.3839.

Writ Petition No.2484/07

TS(CO)
RVL 16.04.2007

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